

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Appeal 18-cv-07449-PAE

**ORDER TO SHOW CAUSE**

THIS MATTER having been brought to the Court's attention through the application (the "Application") of Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III, and the chapter 7 estate of Bernard L. Madoff, seeking relief under Rule 9077-1(a) of the Local Bankruptcy Rules for the Southern District of New York, for an order pursuant to Federal Rule of Bankruptcy Procedure 8009 correcting the record on appeal in the profit withdrawal matter as filed by Appellant Aaron Blecker on behalf of himself and other participating claimants (collectively, "Appellants") and allowing the Trustee to file the full and accurate record of trial exhibits in its place;

UPON REVIEW AND CONSIDERATION of the supporting Declaration of Seanna R. Brown, Esq. (the "Brown Declaration"), and all of the prior proceedings, pleadings, and other submissions in this matter;

Now, therefore, IT IS HEREBY:

ORDERED that cause must be shown before this Court, the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, 10004 on the **26th day of September, 2018, at 10:00 a.m.**, as to why the Court should not issue an order: (i) striking the 106 exhibits, ECF No. 17922-1 to 17922-106, filed with the Appellants' Designation, ECF No. 17922 ("Appellants' Designation"); (ii) allowing the Trustee to file the full and accurate record of trial exhibits in its place for transmission to the District Court; and (iii) striking items PCX053 and PCX091 from Appellants' Designation because these documents were never presented to the Bankruptcy Court before, during, or after trial; and

IT IS FURTHER ORDERED that any responses or objections to the relief sought shall be filed and served upon counsel for the Trustee by **September 25, 2018 at 4:00 p.m.**; and it is further

~~ORDERED that any replies by the Trustee shall be filed and served upon counsel for any party who files a response or objection, by \_\_\_\_\_; and it is further~~ [SMB 9/20/18]

ORDERED that the Trustee shall serve a copy of this Order to Show Cause, the Brown Declaration, and the Motion to Correct the Record on Appeal in Profit Withdrawal Matter on counsel to Appellants and on the Securities Investor Protection Corporation, 1667 K Street NW, Suite 1000, Washington, DC 20006, Attn: Kevin Bell, Esq. by **5:00 p.m. on September 20, 2018**; and it is further

ORDERED that all service hereunder shall be made via electronic mail, facsimile, overnight delivery, and/or hand delivery, as well as the Court's Electronic Case Filing ("ECF") system.

ORDERED, that this Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

Dated: September 20, 2018  
New York, New York

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE